



Docket No.: 217349US3

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/025,480
Applicants: Toshihisa TERAZAWA, et al.
Filing Date: December 26, 2001
For: SEPARATOR FOR FUEL CELL, METHOD FOR
PRODUCING SEPARATOR AND FUEL CELL
APPLIED WITH SEPARATOR
Group Art Unit: 1745
Examiner: WEINER, L.

SIR:

Attached hereto for filing are the following papers:

RESTRICTION RESPONSE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 217349US3



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TOSHIHISA TERAZAWA, ET AL. : EXAMINER: WEINER, L.
SERIAL NO: 10/025,480 :
FILED: DECEMBER 26, 2001 : GROUP ART UNIT: 1745
FOR: SEPARATOR FOR FUEL CELL, :
METHOD FOR PRODUCING
SEPARATOR AND FUEL CELL APPLIED
WITH SEPARATOR

RESTRICTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated June 4, 2004, Applicants elect Group I, corresponding to claims 1 and 2, drawn to a method for producing a separator, classified in class 429, subclass 34 **with traverse** for prosecution in the present application.

Applicants traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

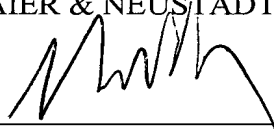
If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Application No. 10/025,480
Reply to Office Action of June 4, 2004

In the present application any search of the elected method claims would also include the classes and subclasses appropriate for searching the product and apparatus claims, and so then would be no undue burden if all of the claims were examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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